

Application No. 10/524,672

**REMARKS**

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 16-27 and 32-33 are pending in the present application, with claims 16, and 32 being independent.

***Claim Rejections under 35 U.S.C. §102***

The Examiner rejected claims 16-22 and 27 under 35 U.S.C. §102, as being anticipated by Okada et al (JP Pub. 2002-158447). This rejection is respectfully traversed.

It is first noted that the Office Action failed to reject claims 32 and 33, however, these claims were discussed on page 4 of the Office Action.

According to the rejection, Okada allegedly shows in Figure 1 a multilayer semiconductor sensor having a first functional layer 101, a second functional layer 108, an intermediate layer 102 disposed between the first 101 and second 108 functional layer and a plurality of anchoring elements 104 each embedded in at least two of the first and second functional layers 101, 108 and the intermediate layer 102. Thus independent claims 16 and presumably 32 are rejected as anticipated by Figure 1 of Okada.

Applicants traverse this rejection on the grounds that Okada fails to disclose that the posts 104 of Figure 1b are not embedded in two of the three layers as required by each of claims 16 and 32. That is post 104 of Okada is only embedded in layer 102 (intermediate layer). The posts 104 are covered by layer 101 or more particularly sections 107a and are also covered by solder layer 105 and layer 108. No definition of

Application No. 10/524,672

"embedded" includes the possibility that posts 104 are embedded in anything other than layer 102. Thus claim 16 is not anticipated as it requires that the anchoring elements (posts) be embedded in at least two layers including the first and second and intermediate layers. Similarly claim 32 is not anticipated as it requires that the anchoring elements be embedded in either the first or second functional layers which according to the rejection correspond to layers 101 or 108. Clearly the posts 104 (anchoring elements) are not embedded in the first 101 or second 108 layer but are embedded in the intermediate layer 102. Thus claim 32 as well as claim 16 define subject matter not shown or disclosed by Okada.

Dependent claims 17-22, 27 and 33 should be considered to be allowable at least for depending from an allowable base claim.

Accordingly, withdrawal of the rejection is respectfully requested.

### ***Claim Rejections under 35 U.S.C. §103***

The Examiner rejected claims 23-26 under 35 U.S.C. §103, as being unpatentable over Okada. This rejection is respectfully traversed.

Claims 23-26 are dependent claims that should be considered to be allowable at least for depending from an allowable base claim.

Accordingly, withdrawal of the rejections is respectfully requested.

### **CONCLUSION**

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse

Application No. 10/524,672

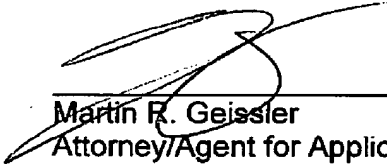
action, it is respectfully requested that the Examiner telephone Martin R. Geissler, Applicants' Attorney at 1.703.621.7140 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3828 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

**Date: October 1, 2010**

Respectfully Submitted,



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